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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

GYPSUM RESOURCES, LLC, a
Nevada limited liability company,

Plaintiff,

vs.

CATHERINE CORTEZ MASTO, in
her official capacity as Attorney
General of the State of Nevada and
her agents and successors;
DAVID ROGER, in his official
capacity as District Attorney of the
County of Clark and his agents and
successors; COUNTY OF CLARK, a
political subdivision of the State of
Nevada; BOARD OF COUNTY
COMMISSIONERS OF THE
COUNTY OF CLARK; and
DOES 1-75,

Defendants.

No. CV-S-05-0583-RCJ-LRL

~~PROPOSED~~
JUDGMENT

JUDGMENT

This action came on for hearing on the motions for summary judgment filed by Plaintiff Gypsum Resources, LLC ("Gypsum") (Doc. #42), by Defendants David Roger, in his official capacity as District Attorney of the County of Clark and his agents and successors, County of Clark, and Board of County Commissioners of the County of Clark (collectively "County Defendants") (Doc. #43), and by Defendant Catherine Cortez Masto, in her official capacity as Attorney General of the State of Nevada and her agents and successors ("the State") (Doc. #44) on November 9, 2009.

On November 24, 2009, the Court issued its Order granting the motion for summary judgment filed by Gypsum on the Fourth and Fifth Causes of Action, invalidating Nevada Senate Bill No. 358 as unconstitutional under Article 4 Sections 20, 21, and 25 of the Nevada constitution. (Doc. #70.)

On December 22, 2009, the State filed an interlocutory appeal to the Ninth Circuit Court of Appeals from the Court's November 24, 2009 Order (Doc. #73).

On April 22, 2010, the Court dismissed as moot Gypsum's remaining claim against the State (Gypsum's First Cause of Action), pending the outcome of the State's interlocutory appeal, and subject to revival depending on the outcome of the State's interlocutory appeal (Doc. #86).

On June 9, 2010, the Court ordered dismissal of the County Defendants (Doc. #93) pursuant to the Stipulation and Settlement Agreement Pursuant to Court Ordered Settlement Conference (Doc. #92), leaving the State as the only remaining defendant in this action.

On March 7, 2013, the Ninth Circuit Court of Appeals issued its Amended Mandate on the State's appeal. On March 8, 2013, the Court issued its Amended

1 Order on Mandate (Doc. #100).

2 The State's interlocutory appeal having been finally resolved, it is now
3 appropriate to enter Judgment in this action pursuant to Fed.R.Civ.Pro. 58.

4 Accordingly,

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6 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED:

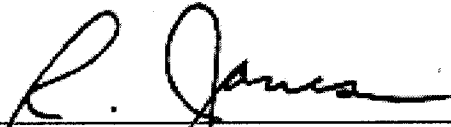
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8 1. For the reasons stated in the Court's November 24, 2009 Order (Doc.
9 #70), the Court finds and declares that Nevada Senate Bill 358, the "Red Rock
10 Canyon Conservation Area and Adjacent Lands Act" (Act of May 19, 2003, ch.
11 105, 2003 Nev. Stat. 595) ("SB 358"), is unconstitutional under Article 4 Sections
12 20, 21, and 25 of the Nevada constitution, and the State is hereby enjoined from
13 enforcing SB 358.

14 2. Plaintiff Gypsum's right to recover attorneys' fees against the State
15 shall be determined on motion to be filed pursuant to the Stipulation and Order
16 re Briefing Schedule on Motion for Attorneys' Fees by Plaintiff Gypsum
17 Resources Against Defendant State, filed on March 16, 2013 (Doc. # 102).

18 3. Plaintiff Gypsum's right to recover costs against the State shall be
19 determined by cost bill to be filed pursuant to Fed.R.Civ.Pro. 54(d) and Local
20 Rule 54-1.

21 4. Plaintiff Gypsum shall recover from defendant State post-judgment
22 interest from the date of entry of Judgment until the date this Judgment, and any
23 sums awarded pursuant to it, is paid in full, pursuant to 28 U.S.C. §1961,
24 compounded annually.

1 Pursuant to Fed.R.Civ.Pro. 58(b)(2)(B), the Court hereby approves the form
2 of the Judgment set forth above and directs the clerk to promptly enter the
3 Judgment.

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8 HON. ROBERT C. JONES
9 United States Chief District Judge

10 Dated: This 17th day of May, 2013.

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14 CLERK

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